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TOWN OF VERNON
Planning & Zoning Commission (PZC)
Draft Minutes - Meeting Notice
Thursday, August 19, 2010, 7:30 PM
Council Chambers, Third Floor
Memorial Building
14 Park Place
Rockville/Vernon, CT

1. Call to Order & Roll Call
 - ♦ Meeting was called to order at 7:35 P.M.
 - ♦ **Regular Members Present:** Lester Finkle, Chester Morgan, Francis Kaplan, Walter Mealy and Watson Bellows.
 - ♦ **Alternate Member Present:** Stanley Cohen, Charles Bardes and Victor Riscassi. Stanley Cohen to sit for Sarah Iacobello. Charles Bardes to sit for Keith Lauzon.
 - ♦ **Staff Present:** Leonard Tundermann, Town Planner.
 - ♦ **Recording Secretary:** James Krupinski
2. Administrative Actions/ Requests
 - 2.1. Communications received NOT related to Agenda items
 - ♦ None
 - 2.2. Amendment / Adoption of Agenda - Additional business to be considered under agenda item #6 "Other Business"
 - ♦ Move Item # 5.1.1 – receipt of application #PZ-2010-17 prior to Public Hearings Item #3.0.
 - ♦ Move Item #4.1 –Old Business, PZ-2010-15 Prior to Public Hearings Item 3.0.
 - ♦ Chester Morgan, seconded by Walter Mealy moved a Motion to Adopt the Agenda as Amended. Motion carried. 6-1 Watson Bellows opposed.
 - 2.3. Acceptance of Minutes
 - ♦ Chester Morgan, seconded by Walter Mealy moved a Motion to Approve the Draft Minutes of the July 17, 2010 Regular Meeting. Motion carried unanimously.
 - ♦ Walter Mealy, seconded by Francis Kaplan moved a Motion to Approve the Draft Minutes of the August 5, 2010 Special Meeting. Motion carried unanimously.
5. New Business.
 - 5.1 Receipt of Applications:
 - 5.1.1 Application [PZ-2010-17] of Marina Rodriguez, Vernon CED Coordinator, for an Amendment to the Zoning Regulations, Section 4.25.2, PDZ I-84 Exit 67 Area.
 - ♦ Mayor Jason L. McCoy and Marina Rodriguez, Asst. Town Planner/EDC presenting information.
 - Requesting change to allow for development at the site.
 - ♦ Watson Bellows requested designs to visualize proposed development at the site.
 - ♦ Marina Rodriguez, Asst. Town Planner/EDC indicated that she would supply conceptual design plans for proposed development designs at the site.

- ◆ **Chester Morgan, seconded by Francis Kaplan moved a Motion to Receive and Schedule a Public Hearing on September 16, 2010.**

4. Old Business

4.1. Application (PZ-2010-15) of Park at Hockanum Crossing LLC for modification of an approved site plan of development and special permit for lot coverage at #37 Hockanum Boulevard (Assessor's ID: Map #4, Block #4, Parcel 8A)

- ◆ **Leonard Tundermann, Town Planner reviewed Draft Motion for Approval.**
 - **Prior Bond is in place from prior approval.**
- ◆ **Watson Bellows, seconded by Chester Morgan Moved Approval of the Modification of a Site Plan of Development and Special Permit. & finds that it complies with §17.3. Motion carried unanimously. (Attachment)**

3. Public Hearings

3.1. Application (PZ-2010-12) of Joel Stavens for Resubdivision of two parcels into two rear lots at #310 Lake St. (Assessor ID: Map #14, Block #143, Parcel #48C & 49 C)

- ◆ **Leonard Tundermann, Town Planner read the Legal Notice into the Record.**
 - **Currently waiting on review by the Inland Wetlands Commission (IWC) on August 24, 2010.**
- ◆ **Francis Kaplan, seconded by Walter Mealy moved a Motion to Continue the Application to the September 2, 2010 meeting. Motion carried unanimously.**

3.2. Application (PZ-2010-14) of Robert Dwyer for Modification of an approved site plan of development at #105 Industrial Park Rd. (Assessor's ID Map #30, Block #0133, Parcel #0005L)

- ◆ **Leonard Tundermann, Town Planner read the Legal Notice into the Record.**
- ◆ **Robert Dwyer, Applicant:**
 - **Construction Company;**
 - **Current Building is 2,400 sq/ft block structure and proposing to add additional 2,400 sq/ft metal building in L-configuration.**
 - **Proposed for office work and storage of equipment;**
 - **Hours from 7:00 am to 4:00 or 5:00 PM;**
- ◆ **Watson Bellows questioned maintenance of equipment on site.**
- ◆ **Mr. Dwyer indicated that required maintenance would be handled off-site.**
- ◆ **Walter Mealy questioned the requirements of the North Central District Health Department (NCDHD) to complete the B-100 application prior to review by the North Central District Health Department (NCDHD).**
- ◆ **Mr. Dwyer indicated that he had spoken to them during the purchasing of the property. Would not file applications until the final purchase had been completed.**
- ◆ **Lester Finkle read an email from Ray Walker, Fire Marshal into the record relative to the suggested installation of sprinklers. (Attachment)**
- ◆ **Leonard Tundermann, Town Planner reviewed Staff comments dated August 12, 2010.**
 - **No Wetland issues, does sit over an aquifer;**
 - **No floor drains being installed would eliminate any risk to the aquifer;**
 - **Has contacted the North Central District Health Department (NCDHD) regarding relocation of the existing on-site septic system;**

- Has received Design Review Commission (DRC) approval;
- Traffic Authority found no issues due to no change in existing curb-cut;
- ◆ **Public Testimony:**
 - Jennifer Roggi, 2 Pineview Drive – No concerns with the application. Concerned with possible fire safety at the site.
- ◆ **Public Testimony was closed at 8:23 P.M.**
- ◆ **Mr. Dwyer believed the current system was a fire alarm and dial out. Proposing Fire System and Burglar System.**
- ◆ **Walter Mealy**
- ◆ **Public Hearing was closed at 8:26 P.M.**
- ◆ **Chester Morgan, seconded by Walter Mealy moved a Motion to Approve the Application with the stipulations:**
 - No floor drains would be installed due to the presence of the aquifer;
 - Development is consistent with design plans on file.
- ◆ **Motion carried unanimously.**

4. Old Business

- 4.1. Application (PZ-2010-15) of Park at Hockanum Crossing LLC for modification of an approved site plan of development and special permit for lot coverage at #37 Hockanum Boulevard (Assessor's ID: Map #4, Block #4, Parcel 8A)

- ◆ **Acted on prior in the Amended Agenda**

4.2. Plan of Conservation and Development

- ◆ **Watson Bellows spoke to the POCD:**
 - Met with the Economic Development Commission (EDC) and requested review of Booklet #5 – Development.
 - Special Meeting to be held on September 9, 2010, 7:00 P.M. in the Senior Center, 26 Park Place for review of Booklet #6-Infrastructure.

4.3. Bylaws

- ◆ **Article IV Membership, Section 3- Resignations should be supplied to the Town Clerk as well to be added.**
- ◆ **Article VI, Voting Membership and Meeting Attendance, Section 4, Attendance at Meetings, ii – Standard attendance removes an officer after a six month absence. Town Planner will review requirement.**
- ◆ **Article VI, Voting Membership and Meeting Attendance, Section 1, - Need to clarify statement.**
- ◆ **Discussion took place relative to term limitations for elected officers.**
- ◆ **Article IX Meetings – Section 4 – Suggested adding statement "... unless the bylaws are more restrictive." Discussion took place.**
- ◆ **Article XII, Order of Business - Discussion took place regarding ability for the public to speak to the PZC regarding issues on reviewed on the current agenda.**
- ◆ **Chester Morgan supplied proposed amendment to Article XVI, Applications, Motions, Debate and Votes. (Attachment)**
 - Discussion took place.

- ♦ **Article XVIII, Committees, Section 2 and Article XX, Review and Approval of Bylaws, Section 1 to be reviewed for conflicting statements.**

5. New Business.

5.1. Receipt of Applications:

- 5.1.1. Application [PZ-2010-17] of Marina Rodriguez, Vernon CED Coordinator, for an Amendment to the Zoning Regulations, Section 4.25.2, PDZ I-84 Exit 67 Area.

- ♦ **Acted on prior in the Amended Agenda.**

6. Other Business

- 6.1. Additional business to be considered should be introduced under PZC meeting agenda item “#2.2 Amendment / Adoption of Agenda” at the beginning of the meeting.

♦

7. Adjournment

- ♦ **Francis Kaplan, seconded by Stanley Cohen moved a Motion to Adjourn. Motion carried unanimously.**
- ♦ **Meeting adjourned at 9:41 P.M.**

James Krupinski
Recording Secretary

Attachment A

DRAFT MOTION

PZ-2010-15

**Approval of a Modification to a Site Plan of Development and
Special Permit for Lot Coverage
The Park at Hockanum Crossing, LLC**

MOVED, that the Vernon Planning & Zoning Commission does hereby **APPROVE**, as amended herein, Application [PZ-2010-15] of The Park at Hockanum Crossing, LLC for modification of a site plan of development and a special permit for exceeding 50% lot coverage at #37 Hockanum Boulevard (Assessor ID: Map #04, Block #0004, Lot/Parcel #0008A).

This approval is granted in accordance with plans entitled:

<p>Revision to Site Plan Lot 1-B The Park At Hockanum Crossing 37 Hockanum Boulevard Scale 1"=100' Owner/Developer: The Park At Hockanum Crossing, LLC. 75 Hockanum Boulevard Vernon, Connecticut 06066 Engineers/Land Surveyors: Gardner & Peterson Associates, LLC 178 Hartford Turnpike Tolland, Connecticut 06084 Landscape Architect: John Alexopoulos 32 Jude Lane Mansfield Center, CT 06250 7-13-2010 Sheet 1 of 3</p>	<p>Improvement Location Survey Existing Conditions And Revision To Site Plan Lot 1-B The Park At Hockanum Crossing Hockanum Boulevard Vernon, Connecticut Gardner & Peterson Associates, LLC 178 Hartford Turnpike Tolland, CT 06084 Scale 1"=20'; Date 7-13-2010 Sheet 2 of 3</p>
	<p>Improvement Location Survey Landscape Plan~Revision To Site Plan Lot 1-B The Park At Hockanum Crossing Hockanum Boulevard Vernon, Connecticut John Alexopoulos Landscape Architect 32 Jude Lane Mansfield Center, CT 06250 Scale 1"=20'; Date 2-4-2010 Sheet 3 of 3</p>

and such revisions to said plans as may be required by this approval.

In addition to the above-referenced plans, this approval is granted in accordance with an application dated July 14, 2010, a public hearing opened on August 5, 2010, and closed

on that date, and in accordance with the following documentation submitted by the applicant or otherwise received by the Commission:

1. Narrative of Application submitted with the application;
2. Application Review Comments submitted by (Police) Chief James Kenny 7-28-10; Ray Walker, Fire Marshal, 7/28/2010; and Eugene Orłowski, Sr., North Central District Health Department, 07-28-10;
3. Memorandum to the Planning and Zoning Commission dated July 29, 2010, from Leonard K. Tundermann, Town Planner;
4. Eight (8) 3-½"x5" color photographs on two (2) sheets providing views of the main building, the mail facility, the recycling facility, and the rear parking area at 37 Hockanum Boulevard.

This approval is granted because the PZC finds that the application, as presented by the applicant and as amended by the stipulations of this approval, complies with applicable requirements of the Vernon Zoning Regulations, satisfies the requirements of section 17.3 governing special permits, and represents an improvement to the mail and recycling facilities originally designed and approved.

This approval is effective September 1, 2010, and UPON THE RECORDING OF THIS APPROVAL LETTER WITH THE TOWN CLERK. A signed copy of this letter must also be returned to the Town Planner's office within fifteen (15) days of the effective date, or by September 16, 2010.

The Commission hereby approves this Modification of a Site Plan of Development subject to the following conditions, modifications, restrictions, and safeguards:

1. The above-referenced plans, as modified by these conditions, shall be placed on two sets of Mylar bearing this approval letter, stamped "APPROVED," and signed by the Planning & Zoning Commission (PZC). Said plans shall be filed by the applicant with the Town Planner and Town Clerk by November 30, 2010, which is within 90 days of the effective date.
2. The seven (7) parallel parking spaces along the western curb shall be indicated by pavement markings;
3. The four (4) vehicle standing spaces in front of the recycling facilities need not be designated by pavement markings;
4. Any streets, roads, sidewalks, and curbs are to be repaired or replaced, including damage due to construction activities, if required in the opinion of the Town Engineer per Commission Policy approved January 14, 1985, as amended May 15, 1998;
5. All site improvements shall be completed prior to release of the bonds.
6. A complete improvement location survey (as-built) plan of the addition shall be submitted to the Town Planner for approval per Town Engineering Policy prior to release of bonds.

Town of Vernon Planning and Zoning Commission Bylaws

Draft

Chip Bellows, Charles Bardes, Len Tundermann

8/5/2010

A proposed draft of bylaws for the Planning & Zoning Commission for the Town of Vernon.

Attachment C (cont)

Town of Vernon Planning and Zoning Commission Bylaws

Article I. Purpose and Authorization

The objectives and purposes of the Planning and Zoning Commission (PZC) of the Town of Vernon (TOV) are those set forth in Chapters 124 (Zoning) and 126 (Planning) of the Connecticut General Statutes, as revised, and those powers and duties delegated to the PZC by the aforementioned statutes and by the Charter of the TOV, Chapter VIII, Section 1 as amended in accordance with the above enabling laws.

Article II. Name

The Commission shall be known as the Planning and Zoning Commission (PZC) of the Town of Vernon (TOV).

Article III. Office of Commission

The office of the PZC of the TOV shall be at the Vernon Town Hall, 14 Park Place, Vernon, CT

Article IV. Membership

Regular and Alternate members of the TOV PZC are appointed by the Mayor of the Town of Vernon, subject to approval by the Town of Vernon Town Council in accordance with the terms of office as specified in both the TOV ordinance Chapter VIII, Section 1 establishing the Commission, and the Connecticut General State Statutes (8-19).

Section 1. There are 7 Regular members with three year terms and 3 Alternate members with five year terms.

Section 2. No Regular member who serves two consecutive full terms shall be reappointed to another term sooner than one year after the completion of the second term.

Section 3. Resignations from the PZC shall be in a written form and transmitted to the Mayor of the TOV with copies to the PZC Chairperson and TOV Town Planner.

Article V. Alternates to the Commission

As set forth by ordinance of the TOV Town Charter, Chapter VIII, Section 6 and Connecticut General State Statutes (8-19a) Alternate members can be seated on the PZC whose membership and terms of office shall be specified in the aforementioned ordinance. If a Regular member of the PZC is absent or disqualified, the Chairperson of the PZC shall designate an Alternate to act in the Regular member's place. Alternates shall be chosen in rotation in order to allow each to act approximately equally in such capacity. If any Alternate is not available in accordance with such rotation such fact shall be recorded in the minutes of the meeting. Alternate members shall receive notices of all meetings and hearings but, while they

Attachment C (cont)

are expected to participate in all meetings of the Commission, they shall not participate in any formal vote taken by the Commission unless designated to sit in place of a Regular member.

Article VI. Voting Membership and Meeting Attendance

Section 1. "Voting Membership" shall mean a maximum number of seven (7) Regular members, or a combination of seven appointed Regular members and those Alternate members designated to act in place of absent or disqualified Regular members.

Section 2. A majority of the voting membership of the Commission shall constitute a quorum. It shall take four (4) affirmative votes for the approval of an action except as noted below.

Section 3. Super majority votes of the voting members voting affirmatively may be required for specified actions.

- i. 75% affirmative votes of the voting membership for the waiver of any sub-division regulations.
- ii. 67% affirmative votes of the voting membership for any changes to the agenda.

Section 4. Attendance at Meetings

Attendance at meetings is essential for the PZC to perform its administrative functions. If a Regular or Alternative member of the PZC will be unable to attend a scheduled regular or special meeting, notification must be given to the TOV Town Planner or PZC Chairperson via telephone or email at least 12 hours prior to the meeting.

- i. Regular members who fail to attend scheduled meetings without justification will have their names forwarded to the TOV Mayor with a recommendation for removal from the PZC.
- ii. Alternate members are expected to attend a minimum of fifty (50%) of all scheduled meetings in a calendar year. Alternate members who fail to meet the attendance criteria will have their names forwarded to the TOV Mayor with a recommendation for removal from the PZC

Article VII: Officers and Their Duties

Section 1. The officers will consist of a Chairperson, Vice-Chairperson and a Secretary. Each shall be a Regular member of the PZC

Section 2. All officers shall serve for a term of one year and no officer may serve more than two consecutive terms in the same office.

Attachment C (cont)

- Section 3. The Chairperson will preside at all meetings and hearings of the PZC and shall have the duties normally conferred by the parliamentary usage for such offices. The Chairperson shall have the authority to appoint committees, call special meetings, and generally perform other duties as may be prescribed in these Bylaws.
- Section 4. The Chairperson, unless disqualified under the provisions of Article X, is empowered to discuss and vote on all matters coming before the commission.
- Section 5. The Vice-Chairperson shall act for the Chairperson in the Chairperson's absence or disqualification, and have the authority to perform the duties prescribed for that office.
- Section 6. If the Vice-Chairperson is absent or disqualified to perform the duties of the Chairperson and the Chairperson is disqualified, the Chairperson shall select a Regular member of the PZC to perform the duties of the Chairperson.
- Section 7. The Secretary shall be a Regular member of the PZC. The Secretary or his/her designated representative (TOV Town Planner) shall read the legal notice as advertised before each public hearing is held.
- Section 8. In the absence or disqualification of the Secretary, the Chairperson shall appoint another Regular member as Secretary pro tem.

Article VIII. Election of Officers

The election of officers referenced in Article VII, Section 1 will normally be held annually at the commission's first meeting in December. Favorable votes by the majority of voting membership present, as defined in Article VI, Section 1 shall decide the winner of each election.

- Section 1. Each nominee for any PZC Officer position shall be a Regular Member of the commission and shall have at least one year remaining in his/her current term of appointment. If there is more than one nominee to fill an Officer position, paper ballots shall be used, otherwise a voice vote confirming the election of the nominee shall be sufficient.
- Section 2. A candidate receiving a majority vote from the voting membership shall be declared elected and shall serve until the end of that calendar year or until a successor shall take office.
- Section 3. A vacancy of an officer position shall be filled at the next regular meeting of the PZC. Nominations and elections will be conducted as stated in Article VIII, Section 2.

Attachment C (cont)

Article IX. Meetings

- Section 1. Regular meetings of the PZC normally are held on the first and third Thursday of each month convening at 7:30PM and adjourning no later than 10:30PM. Waiver of the adjournment time and extension of the meeting requires approval by two-thirds of the voting membership.
- Section 2. At the commission's last regular meeting of each calendar year; the PZC shall adopt the schedule of regular meetings for the following 13 months. The Secretary or designee shall provide a schedule of the PZC's Regular Meetings for the following calendar year to all Regular and Alternate Members of the commission. The schedule must be approved by a majority vote of the voting membership.
- Section 3. All PZC meetings are open to the public except Executive sessions which shall be held as allowed by the Connecticut General Statutes (Chapter 14).
- Section 4. General parliamentary rules shall govern the PZC meeting proceedings.
- Section 5. Items for the agenda of any regular meeting are determined by the Chairperson and the Secretary designate (Town Planner). Additional items may be submitted by any Regular member of the PZC prior to or at the regular meeting. Adoption of changes to the agenda at a regular meeting requires approval by two-thirds of the voting membership present.

Article X. Disqualification

In accordance with the applicable sections of the Connecticut General Statutes (8-11) and the TOV Code of Ethics (Article IV, Code of Ordinances) no member of any planning commission and/ or member of any municipal agency exercising the powers of any planning commission, whether existing under the Connecticut General Statutes (8-21) or under any special act;

- Section 1. Shall appear for or represent any person, firm or corporation or other entity in any matter pending before the PZC, Zoning Board of Appeals (ZBA) or agency exercising the powers of any such commission or board in the same municipality whether or not that person is a member of the commission hearing that matter..
- Section 2. No member of any planning commission shall participate in the hearing or decision of the PZC of which that person is a member upon any matter in which he/she is directly or indirectly interested in a personal or financial sense.

In the event of a disqualification such fact will be recorded in the minutes of the PZC and, unless provided by special act, a replacement shall be made from the Alternate members pursuant to the provisions of Connecticut General Statutes (8.1b) of an Alternate to act as a member of the PZC in the hearing and determination of the particular matter or matters which give rise to disqualification.

Attachment C (cont)

Article XI. Acceptance of Gifts, Gratuities and Favors Restricted

In accordance with the TOV Code of Ethics (Article IV, Code of Ordinances) no PZC Regular or Alternate members shall accept, receive or encourage the offering of any gift, expression of friendship, service or improper favor, that could in any way be construed to be a thing of monetary value that may tend to influence the PZC Regular or Alternate member in the discharge of his/her official duties.

Article XII. Order of Business

Unless otherwise determined by the Chairperson and the majority concurrence of the voting members of the PZC, the order of business at Regular meetings shall be:

1. Call to Order and Roll Call
2. Administrative Action/ Requests
 - 2.1. Communications received NOT related to Agenda items.
 - 2.2. Amendment/ Adoption of Agenda- Additional business to be considered under agenda item #6 "Other Business".
 - 2.3. Acceptance of Minutes
3. Public Hearings
4. Old Business
5. New Business
6. Other Business
7. Adjournment

Article XIII. Applications

Applications shall be received by the PZC on the day of the next regularly scheduled meeting immediately following the day of submission to the TOV Planning Department but in no event later than thirty-five days after such submission. (Connecticut General Statutes 8-7d).

Section 1. The Town Planner will provide both the Regular and Alternate PZC member's copies of the appropriate documentation as required by Connecticut General State statutes for their review of each application. The documentation will also include the TOV Town Planner's written assessment of the application's objectives relative to the TOV Plan of Conservation and Development and applicable zoning and/or subdivision regulations.

Section 2. Draft motions of Approval/ Denial of an application shall be prepared by the TOV Town Planner before a decision is reached on any complex application. Draft motions on routine or simple applications may not be required. The Town Planner will determine whether an application is simple or complex at the time the application is assessed.

Section 3. All documentation for the above Sections 1 and 2 must be provided to the Regular and Alternate PZC members at least 24 hours prior to any scheduled meeting.

Attachment C (cont)

Article XIV. Minutes

- Section 1. All meetings of the PZC shall be recorded using an audio recording device to facilitate preparation of the minutes of the meeting. Such minutes shall be in summary form and the draft minutes of each meeting shall be made available to the commission members for review and approval with the agenda for the next scheduled regular meeting.
- Section 2. The PZC shall review and approve minutes of all meetings.
- Section 3. Once approved a copy of each meetings minutes shall be filed within 24 hours in the TOV Town Clerk's Office.
- Section 4. The minutes shall be retained in accordance with Connecticut State Statutes.
- Section 5. In the minutes the names of all Regular and Alternate members who were present at the meeting shall be listed. If, for any reason, an Alternate member was designated to sit in place of a Regular Member, each such designation including the names of each shall be indicated in the minutes. If the vote is unanimous, the minutes shall so state; otherwise they shall state specifically which members voted for, voted against, or abstained.

Article XV. Hearings

- Section 1. The PZC may hold public hearings, in addition to the required hearings when it decides that such hearings will be in the public interest.
- Section 2. A competent stenographer shall take the evidence or the evidence shall be recorded by an audio recording device at each hearing before the PZC in which the right to appeal can go to the Superior Court.

Article XVI. Conducting the Public Hearing

- Section 1. In accordance with the provisions of ARTICLE VI Sections 5 and 6 of the Bylaws, in the event the Chairperson is absent or disqualified, the Vice Chairperson shall act as the hearing's presiding officer. If the Vice Chairperson is absent or disqualified, another Regular Member of the PZC selected by the Chairperson shall act in that capacity the order and process for the hearing will be conducted as follows. However, the PZC at its discretion may reverse the order if the majority of the voting members so decide.
 - i. The Secretary or designate shall read the legal advertisement and note the dates and the newspapers in which the advertisement appeared.
 - ii. The Chairperson shall describe the method of conduct for the hearing.

Attachment C (cont)

- iii. It shall be made clear that all questions and comments must be directed through the Chair and then only after being properly recognized by the presiding officer.
 - iv. Each person shall announce and record their name and address before commenting on the matter being heard.
 - v. Each applicant shall present a summary of the proposal.
 - vi. The Chairperson shall call for any statements from the proponents
 - vii. The Chairperson shall then call for any statements from opponents of the application.
 - viii. The applicant shall then be given the opportunity to rebut any opponent to the application
- Section 2. Each group shall make its presentation in succession without an intermixture of comments between the proponents and opponents of the application.
- Section 3. The presiding officer shall maintain an orderly hearing and shall ensure the necessary steps are taken to maintain order and civil decorum at all times. The presiding officer shall reserve the right to recess the hearing in the event the discussion becomes unruly and unmanageable.

Article XVII. Ex-Officio Members

The Town Planner, Assistant Town Planner and Town Engineer are employees of the TOV and under Connecticut General State Statutes are considered to be non-voting members of the PZC. Their function is to advise and provide technical expertise relative to land use.

Article XVIII. Committees

The TOV PZC shall have two regular standing committees and when needed, ad hoc committees to address various issues that may come before the PZC. Any standing or ad hoc committee member shall be selected by the PZC Chairperson and will consist of no more than three Regular and Alternate members. Approval of the membership requires the approval of the majority of the voting membership. The standing committee's duties are defined below.

Section 1. Plan of Conservation and Development (POCD) Committee

The purpose of this committee is to review the POCD with the Town Planner quarterly to ensure it is being implemented and reflects any land use changes occurring in the TOV. The POCD Committee will submit their findings to the PZC.

Section 2. Bylaws Committee

This committee will review the PZC bylaws annually and recommend any changes. It will also review any written requests for changes to the PZC bylaws and make their recommendation to the PZC.

Attachment C (cont)

Article XIX. Public Access

The access to PZC hearings, meetings and records by the public and representatives of the print and broadcast media shall comply with the Connecticut Freedom of Information Act,

Article XX. Review and Approval of Bylaws

The TOV PZC Bylaws shall be reviewed at least once every calendar year at the first Regular Meeting of the PZC for the year and may be amended as deemed necessary from time to time.

Section 1. Proposed amendments of the Bylaws may be submitted in writing by any Regular Member of the PZC to the PZC Bylaws Committee. They will review the proposed amendment and submit their recommendation to the PZC voting membership.

Section 2. Any proposed amendment must be acted upon by the PZC by its second regular meeting following such submission. Adoption of any proposed amendment requires approval by two-thirds of all voting members.

List of Changes

Article/ Section	Date	Change

Attachment D

August 19, 2010

**Town of Vernon Planning and Zoning
Commission Bylaws
(Proposed Amendment)**

Immediately following Article XVI, insert the following:

(New) Article XVII, Application Motions, Debate and Votes.

Following the close of a public hearing and before any application is open for discussion or debate it is necessary:

1. That a motion be made by a member who has obtained the floor.
2. That it be seconded
3. That it be stated by the chairperson.

The fact that a motion has been made and seconded does not put it before the assembly, as the chairperson alone can do that. The chairperson must either rule it out of order, or state the question on it so that the commission may know what is before it for consideration and action, that is, what is the *immediately pending question*.

While no debate or other motion is in order after a motion is made, until it is stated or ruled out of order by the chairperson, commission members may suggest amendments to the motion, and the mover has the right to:

1. Accept such amendment.
2. Deny acceptance of such amendment
3. Withdraw his motion entirely.

When the mover accepts such amendment to his motion, the one who seconded it has a right to accept or withdraw his second.

When the debate appears to have closed, the chair asks again, "Are you ready for the vote?" If no one objects he proceeds to take the vote, first calling for the affirmative and then for the negative vote. In putting the question the chair should make perfectly clear what the motion is that the assembly is to decide. After the vote the Chairperson either announces the ayes have it, and the motion is adopted;" or, "The noes have it, and the motion is defeated."

neg

Renumber the subsequent Articles accordingly.

Chet

**Chet Morgan
Member, Vernon Planning & Zoning Commission**

Chet/lpzbylaws

Attachment B

Page 1 of 1

Tundermann, Len

From: Walker, Ray
Sent: Monday, August 16, 2010 4:10 PM
To: Tundermann, Len
Subject: 105 Industrial Park Rd

Len,

Please note the following concerning the above captioned address and please share this information with the applicant and the Planning and Zoning Comm. as well.

My concerns of 8-2-2010 dealt with the type of construction, exit discharge, automatic sprinkler protection, and perimeter access.

Based upon a meeting with Mr. Dwyer on 8-11-2010 I believe my concerns have been reasonably addressed as to type of construction, exit discharge, and perimeter access. Although it seems that automatic sprinklers will not be required to meet Code I strongly urge the applicant to continue to consider the installation of automatic sprinkler protection as a proven life safety and fire prevention tool.

Thanks, Ray Walker, Fire Marshal

8/17/2010